

OLC 78-0487/16

17 August 1978

*Pro/Log*

MEMORANDUM FOR THE RECORD

SUBJECT: Civil Service Reform Legislation

1. I spoke with Mr. Simon Lazarus, at the White House, and told him that since he had been negotiating with the House Post Office and Civil Service Committee on the matter of Title VII of the House bill (Labor Management Relations), I wanted to make sure he was aware of our one remaining concern with that title. Our concern is that the "offices for the collection of specialized intelligence through reconnaissance programs" (the language as used in E.O. 12036) was not but should be included as specifically exempt from Title VII as the CIA and NSA were. Mr. Lazarus seemed to indicate he was aware of this matter and said he agreed with us and that we should not have any problem. He said a Mr. Tony Ingrassia, at the Civil Service Commission, was handling Title VII and that I should give him a call. Mr. Lazarus said to get back in touch with him if any problems arose. On the related matter of Title IX of the House bill (Hatch Act Reform), Mr. Lazarus said the Administration was still hopeful that the title could be knocked out.

2. In the absence of Mr. Tony Ingrassia, at the Civil Service Commission, I spoke with Mr. Dave Dickinson, on the above matter concerning Title VII of H.R. 11280. Mr. Dickinson said his office was working to have Title VII amended so that Agency heads would have the authority to exempt offices other than those specifically included in the present exemption, which at the determination of the Agency head engaged in intelligence activities. I agreed this would take care of our problem, but said I would appreciate him taking our suggestion for a specific exemption for the reconnaissance offices in case it becomes necessary to include it as a specific exemption. He said he would be glad to keep this in mind and would check it out and keep us informed. In a follow-up phone call, Mr. Dickinson said that agreement had been reached between the Commission and outside interest groups on a number of amendments to Title VII. These include an amendment that would place the authority to exempt intelligence entities other than those specifically exempted in Title VII with the President rather than the Labor Management Board. I told Mr. Dickinson this appeared to meet our concern. He said he did not have specific language but would call back as soon as he obtained it.

3. I spoke with Mr. Paul Rosenthal, Counsel, Senate Governmental Affairs Committee, concerning the status of the Civil Service Reform legislation in the Senate. Mr. Rosenthal said the bill may come up for floor action next week. In response to my query, he said a number of amendments to the bill had been discussed (he mentioned Senator Mathias specifically) but as far as he knew no questions had come up as to exemptions for intelligence agencies.



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